

**Plaintiff
Jackie Fisher's**

**Response in Opposition
to Defendants'**

**Motion for
Summary
Judgment**

EXHIBIT

24

EEOC Form 5 (5-01)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented ...

☐ FEPA
☒ EEOC

Agency(ies) Charge No(s):

460-2006-01987

Texas Workforce Commission Civil Rights Division

and EEOC

Name (Indicate Mr., Ms., Mrs.)

Ms. Jacklyn L. Fisher

State or local Agency, if any

Home Phone No. (Incl Area Code)

Date of Birth

Street Address

City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

UTMB-CORRECTIONAL MANAGED CARE

No. Employees, Members

Phone No. (Include Area Code)

500 or More

Street Address

City, State and ZIP Code

Name

Street Address

City, State and ZIP Code

No. Employees, Members

Phone No. (Include Area Code)

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify below.)
DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest

01-04-2006

05-02-2006

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I. On or about January 4, 2006, I opposed what I believed to be discrimination. Mr. David Watson, District Nurse Manager, had approved the rehire of a White individual who had been previously transferred due to attitude and behavior problems. I reminded Mr. Watson that previously, when dealing with a Black employee, he stated no one with a bad attitude and problem employees would be allowed to be transferred or rehired. I further explained that this was a different standard and we should uniformly apply policies to everyone. In an email dated January 5, 2006, Mr. Watson informed Ms. Wright that she could not hire the White individual. My opposition to perceived discrimination began a sequence of events which can only be categorized as harassment and a hostile work environment.

II. On or about January 9, 2006, Ms. Gotcher, Mr. Watson's supervisor, and Ms. Milton, HR, began an investigation of alleged complaints against me. As part of this investigation, only certain selected individuals were interviewed. I have never been provided any complaint against me so that I could properly respond. I was informed, by Ms. Gotcher and Ms. Milton that the investigation against me was conducted at Mr. Watson's request.

III. Mr. Watson continued his retaliatory actions towards me and the harassment created a hostile work environment. Consequently, I received a poor evaluation. On April 10, 2006, I filed an internal grievance

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

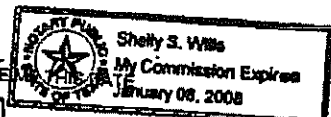
NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Jacklyn Fisher
 SUBSCRIBED AND SWORN TO BEFORE
 (month, day, year)



Shelly Willis 6/2/06

Fisher-200495

EEOC Form 3 (5/01)

CHARGE OF DISCRIMINATION

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Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

460-2006-01987

Texas Workforce Commission Civil Rights Division

State or local Agency, if any

and EEOC

THE PARTICULARS ARE (Continued from previous page):

alleging discrimination, harassment and a hostile work environment. On April 11, 2006, I received a letter advising that I would be demoted from Cluster Nurse Manager. The letter stated I was being demoted due to continued failure to meet minimum performance expectations. I believe this demotion was in further retaliation. I am aware of similar situated White employees, with staff complaints, who have not been demoted. Further, prior to my opposition of perceived discrimination my performance was not an issue. On May 2, 2006, I received a letter advising that I was going to be demoted to an Assistant Nurse Manager and not to a Nurse Clinician III as stated in Mr. Watson's April 11, 2006 letter.

IV. I believe I have been discriminated against because of my race, Black, and subjected to retaliation, in violation of Title VII of the Civil Rights Act of 1964, as amended.

Fisher-200496

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

6/2/06

Date

Judith Fisher
Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Judith Fisher

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)



Shelly S. Wills
My Commission Expires
January 08, 2008

Shelly Wills 6/2/06